

Milwaukee County v. Lake, 259 W 209, 47 NW (2d) 87.

A county park commission may not use moneys raised for park purposes to beautify highways which are not connected with any park. 21 Atty. Gen. 332.

A county park commission has power to install filling stations at a county park airport and to buy and sell gasoline in connection therewith, together with power to settle all bills for gasoline supplies. Such power is subject to general regulatory and supervisory power of the county board over the county park commission. 22 Atty. Gen. 911.

A county board or county park commission cannot provide for criminal action against a violator of park rules. Forfeitures can be collected from such violators either by the county board or the county park commission, under 27.05 (1). Section 59.07 (1) does not empower the board to prescribe criminal penalties; civil action may be instituted. 24 Atty. Gen. 530.

Counties may acquire and maintain park properties, and may authorize the construction, operation and maintenance of public fee golf courses on county-owned land. 27 Atty. Gen. 710.

County park commissions may expend county funds for the construction of landing places on lakes within federal forest areas where consent is granted by letter authority from the proper federal source. 44 Atty. Gen. 225.

Counties are authorized to acquire, by lease, lands located outside the county within three-fourths mile of the county line for a county park. County funds may be spent to improve parks and regulations may be established and enforced. 52 Atty. Gen. 222.

27.06 History: 1907 c. 250; 1909 c. 352; Stats. 1911 s. 1787o-4; 1913 c. 454; Stats. 1913 s. 697-72; 1917 c. 262 s. 8; Stats. 1917 s. 27.06; 1919 c. 558 s. 5; 1927 c. 248; 1945 c. 270; 1953 c. 73; 1959 c. 138.

A county has no power to appropriate general funds to the county park commission for use, in addition to the proceeds of a special tax under this section, in operation and maintenance of county parks. 30 Atty. Gen. 207.

27.065 History: 1925 c. 442 s. 2; Stats. 1925 s. 27.065; 1927 c. 190; 1929 c. 280; 1931 c. 79 s. 4; 1931 c. 131, 268, 335; 1933 c. 265; 1937 c. 313; 1939 c. 122; 1943 c. 73; 1957 c. 132; 1959 c. 640; 1963 c. 6; 1965 c. 252; 1967 c. 26; 1967 c. 29 s. 1.

On taking private property for public use see notes to sec. 13, art. I.

27.07 History: 1919 c. 558 s. 7; Stats. 1919 s. 27.07; 1933 c. 430 s. 4.

27.08 History: Stats. 1931 s. 27.08, 27.09 (4); 1933 c. 403 s. 1, 2, 3; Stats. 1933 s. 27.08; 1943 c. 193; 1957 c. 610.

Where historical property known as the Villa Louis, along with certain other real estate, was conveyed to a city for maintenance as a "public park, playground, and historical museum," on condition that the grantor and certain others be life members of a "Dousman municipal park board" to be created by the city council and the council

created such a board, to assist the council in managing the Villa Louis as a museum, this section did not preclude the council itself from making a contract to convey the Villa Louis to the state historical society for maintenance as an historical site, since the board created by the council pursuant to the terms of the grant to the city was not the statutory board. State ex rel. State Historical Society v. Carroll, 261 W 6, 51 NW (2d) 723.

27.09 History: Stats. 1931 s. 27.08 (10) (a) to (g); 1933 c. 430 s. 2, 3; Stats. 1933 s. 27.09; 1935 c. 213; 1935 c. 421 s. 3; 1943 c. 66; 1965 c. 252; 1969 c. 55.

27.10 History: Stats. 1917 s. 27.09 (7), (8), 27.10 (7), (9), (10), (12); 1919 c. 405; 1919 c. 558 s. 22, 23, 24; 1919 c. 702 s. 14; Stats. 1919 s. 27.10; 1921 c. 576 s. 6; 1933 c. 430 s. 1, 3; 1935 c. 421 s. 3; 1941 c. 129; 1945 c. 67; 1947 c. 362 s. 2; 1957 c. 132; 1965 c. 252.

27.11 History: 1911 c. 486; 1911 c. 664 s. 99, 106; 1913 c. 126; 1913 c. 609; 1913 c. 773 s. 53; 1915 c. 68; Stats. 1915 s. 959-145 to 959-157; 1917 c. 557, 626; 1917 c. 671 s. 8; Stats. 1917 s. 27.11; 1919 c. 362 s. 35; 1919 c. 558 s. 25; 1919 c. 702 s. 17; 1921 c. 213, 373, 383; 1921 c. 590 s. 81; 1923 c. 238; 1923 c. 347 s. 1; 1941 c. 203; 1947 c. 243; 1951 c. 734; 1953 c. 61; 1965 c. 35.

27.115 History: 1919 c. 218; Stats. 1919 s. 937g; 1921 c. 396 s. 89; Stats. 1921 s. 27.115; 1945 c. 397.

This section is invalid as it exists in the 1943 statutes and also as amended by ch. 397, Laws 1945. 34 Atty. Gen. 124.

27.12 History: 1897 c. 32; Stats. 1898 s. 959-9 to 959-17; 1915 c. 180 s. 2; Stats. 1915 s. 959-17m; 1917 c. 525; 1917 c. 557; 1917 c. 671 s. 23; 1917 c. 677 s. 19, 22; Stats. 1917 s. 27.09 (2), 27.10 (11); 1919 c. 558 s. 26; Stats. 1919 s. 27.12; 1935 c. 421.

27.13 History: 1919 c. 558 s. 27; Stats. 1919 s. 27.13; 1933 c. 430 s. 2.

27.14 History: 1919 c. 558 s. 28; Stats. 1919 s. 27.14.

27.15 History: 1921 c. 291; Stats. 1921 s. 27.15.

CHAPTER 28.

Public Forests.

28.005 History: 1967 c. 26; Stats. 1967 s. 28.005; 1969 c. 276.

28.01 History: 1949 c. 474; Stats. 1949 s. 28.01; 1967 c. 26 s. 94; 1969 c. 276 s. 588 (4).
On the conservation act see notes to 23.09.

28.02 History: 1925 c. 380; Stats. 1925 s. 26.08 (3); 1927 c. 481; 1931 c. 451; 1949 c. 474 s. 5, 6; Stats. 1949 s. 28.02; 1955 c. 255; 1965 c. 252; 1969 c. 276 s. 588 (4).

Sales of forest lands, as defined in 28.02 (1), are no longer subject to the restrictions contained in 24.11 (3) since enactment of ch. 474, Laws 1949. 39 Atty. Gen. 306.

28.03 History: 1949 c. 474; Stats. 1949 s. 28.03; 1967 c. 26 s. 94; 1969 c. 276 s. 588 (4).

28.035 History: 1949 c. 126; Stats. 1949 s. 28.035; 1967 c. 26 s. 94; 1969 c. 276.

28.04 History: 1949 c. 474; Stats. 1949 s. 28.04; 1953 c. 425; 1969 c. 276 s. 588 (4).

28.05 History: 1949 c. 474; Stats. 1949 s. 28.05; 1951 c. 247; 1953 c. 425; 1965 c. 252; 1969 c. 276 ss. 195, 588 (4).

28.06 History: 1949 c. 474; Stats. 1949 s. 28.06; 1953 c. 425; 1961 c. 265; 1967 c. 26 s. 94; 1969 c. 276 ss. 196, 588 (4).

Employment of seasonal labor by the forestry division of the conservation department is subject to the provisions of ch. 16, the workmen's compensation act and the unemployment compensation act. The prevailing wage is to be determined by the director of personnel. 39 Atty. Gen. 351.

28.07 History: 1949 c. 474; Stats. 1949 s. 28.07; 1969 c. 276 s. 588 (4).

28.08 History: 1949 c. 474; Stats. 1949 s. 28.08.

28.10 History: 1947 c. 109; Stats. 1947 s. 59.98 (1); 1949 c. 474; Stats. 1949 s. 28.10; 1963 c. 345.

On powers of county boards see notes to sec. 22, art. IV.

Lands however acquired by a county may be placed in a forest reserve by proper procedure. 20 Atty. Gen. 891.

A county does not have authority to acquire land unconnected with its county forests as a facility for marketing timber from such forests. 37 Atty. Gen. 156.

28.11 History: 1947 c. 109; Stats. 1947 s. 59.98 (2); 1949 c. 474; Stats. 1949 s. 28.11; 1961 c. 378; 1963 c. 345, 459; 1965 c. 433 s. 121; 1967 c. 26 s. 94; 1967 c. 29 s. 4; 1967 c. 92 s. 22; 1967 c. 212; 1967 c. 291 s. 14; 1969 c. 55; 1969 c. 276 ss. 197, 588 (4).

Moneys appropriated to a county for the purchase, development, preservation and maintenance of forest reserves may be expended for the purposes enumerated. 24 Atty. Gen. 689.

Forest crop money received by a county may be expended by the county in surfacing a fire trail through county forest reserve lands which have been withdrawn from forest crop lands. 27 Atty. Gen. 93.

This section does not authorize counties to acquire lands by exchange for any other purpose than blocking out county forests. 40 Atty. Gen. 57.

The county treasurer may be employed to serve as secretary to the forestry committee and may be paid extra compensation. 48 Atty. Gen. 217.

A county forestry fund may not be spent to construct a county building designed to be used by the forest caretaker as a combined residence and foster home for delinquent boys who would work in the forest program. 49 Atty. Gen. 39.

28.20 History: 1949 c. 474; Stats. 1949 s. 28.20.

28.21 History: 1949 c. 474; Stats. 1949 s. 28.21; 1967 c. 26 s. 94; 1969 c. 276 s. 588 (4).

28.22 History: 1949 c. 474; Stats. 1949 s. 28.22; 1965 c. 252.

28.23 History: 1949 c. 474; Stats. 1949 s. 28.23.

CHAPTER 29.

Fish and Game.

On exercises of police power see notes to sec. 1, art. I; on searches and seizures see notes to sec. 11, art. I; on taking of private property for public use see notes to sec. 13, art. I; on the state boundary see notes to sec. 1, art. II; on delegation of power see notes to sec. 1, art. IV; on jurisdiction on rivers and lakes see notes to sec. 1, art. IX; on acquisition of lands by the state and subdivisions see notes to sec. 3a, art. XI; on the conservation act see notes to 23.09; on navigable waters and riparian rights see notes to 30.10; and on eminent domain see notes to various sections of ch. 32.

Liability-without-fault criminal statutes—their relation to major developments in contemporary economic and social policy. Remington, Robinson and Zick, 1956 WLR 625.

29.01 History: 1917 c. 668 s. 3; Stats. 1917 s. 29.01; 1919 c. 526 s. 1; 1919 c. 625 s. 1; 1921 c. 141 s. 1; 1921 c. 306; 1927 c. 121; 1935 c. 366; 1951 c. 92; 1953 c. 556; 1967 c. 10, 26; 1969 c. 276.

The fish and game laws apply to all lakes and ponds, if navigable, regardless of their size and the means of access thereto. 5 Atty. Gen. 369.

Waters in the canal connecting Sturgeon Bay with Lake Michigan are inland waters. 20 Atty. Gen. 239.

Bays and harbors of Door County on Green Bay or Lake Michigan are outlying waters within the meaning of 29.01 (4). A question of fact is involved in determining whether a particular body of water is an outlying water or an inland water within 29.01 (4). 28 Atty. Gen. 441.

29.015 History: 1931 c. 201; Stats. 1931 s. 29.345; 1933 c. 159 s. 11; 1943 c. 301; 1953 c. 61 s. 18; Stats. 1953 s. 29.015.

29.02 History: 1917 c. 668 s. 3; Stats. 1917 s. 29.02; 1967 c. 26 s. 94; 1969 c. 276 s. 588 (4); 1969 c. 392 s. 87 (24).

The state holds title to wild animals in trust for the people, and no individual has any title to any such animal until he reduces it to lawful possession; and as a trustee the state may conserve wild life and regulate or prohibit its taking in any reasonable way it may deem necessary for the public welfare. *Krenz v. Nichols*, 197 W 394, 222 NW 300. See also *State v. Lepinske*, 212 W 421, 249 NW 289; *State v. Herwig*, 17 W (2d) 442, 117 NW (2d) 335; and 57 Atty. Gen. 31.

A trapper who stakes his trap from his boat on the bed of a river cannot be found guilty of stealing muskrats caught in such trap from a riparian owner. 12 Atty. Gen. 54.

Agents of the state conservation commission may enter on private land to rescue fish stranded there by recession of water after a flood. 13 Atty. Gen. 158.

"29.02, Stats., provides that the legal title